

## FEDERAL DEBT COLLECTION PROTECTIONS

The Fair Debt Collection Practices Act (FDCPA) is a federal law that protects consumers from abusive or deceptive debt collection practices, such as harassing, threatening, or making misleading statements so as to force a consumer into making debt payments. New Debt Collection Rules under the FDCPA, issued by the Consumer Protection Financial Bureau on November 30, 2021, strengthen protections for consumers by clarifying how debt collectors should communicate with you, including what information they're required to provide at the outset of collection about the debt, your rights in debt collection, and how you can exercise those rights. New protections include:



### Debt collectors must provide key information about debts owed

Debt collectors are required to provide you with specific information within 5 days after first communicating with you. This information is called a “validation notice” and it must contain the following:

- The name and mailing information of the debt collector and the consumer.
- The name of the creditor to whom the debt is owed and the account number associated with the debt.
- A breakdown of the amount owed, including interest, fees, payments, and credits made on the original debt.



### Debt collectors must limit the amount of times they call you

- Debt collectors cannot call you more than seven times in any seven-day period.
- If the collectors have engaged in a conversation with you about a particular debt, they must wait another seven days before calling you again about that debt.
- They are not allowed to call you before 8am or after 9pm.
- These call frequency prohibitions only apply to telephone calls made by the collector and typically do not apply to text messages, emails, or other forms of communication.



### Debt collectors must inform you of consumer rights and how to dispute debt

- You have a right to dispute a debt, and debt collectors must provide information on how to do so.
- Once you dispute the debt, the debt collector must stop all attempts to collect from you until the collector can verify their claim to the debt.
- The validation notice must include a “tear-off” form that you can send back to the debt collector to dispute the debt or take other actions.



### Communications via social media are limited

- Debt collectors can communicate with you via social media but messages must be private.
- The collectors must identify themselves as debt collectors.
- They must provide you with an option to opt out of receiving messages from them through social media applications.

*This communication is for the general education and knowledge of our readers. Because all legal problems involve their own specific set of facts, this informational resource is not and should not be used as a substitute for independent legal advice. This informational resource also is not intended to create, and its receipt does not constitute, an attorney-client relationship. Please contact competent, independent legal counsel for an assessment of your particular legal concerns, or contact our Legal Hotline (212.626.7383 or <https://www.citybarjusticecenter.org/legal-hotline/>) to determine whether you qualify for assistance from the City Bar Justice Center.*